

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

SUSAN A. LOFTIN, )  
Plaintiff, )  
v. )  
NATIONWIDE MUTUAL INSURANCE )  
COMPANY, )  
Defendant. )

**JUDGMENT**

No. 7:09-CV-118-F

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for consideration of the Defendant's Motion to Dismiss for Lack of Prosecution and Motion to Seal Document.

**IT IS ORDERED, ADJUDGED AND DECREED** pursuant to the court's order dated June 14, 2011, that the Defendant's Motion to Dismiss for Failure to Prosecute and Motion to Seal were ALLOWED. The Clerk of Court was DIRECTED to remove the matter from the court's trial and pretrial calendars and not to close the case, pending an order addressing the plaintiff's alleged non-compliance with the order dated October 18, 2010.

**IT IS FURTHER ORDERED** pursuant to the court's order dated November 28, 2011, that the Plaintiff shall pay to defendant the sum of \$1,201.00 by December 19, 2011. Unless otherwise agreed in writing by defendant, payment shall be by money order or cashier's check payable to the order of the trust account of defendant's counsel (that is, "Brown, Crump, Vanore & Tierney, LLP Trust Account") and shall be mailed to: R. Scott Brown, Esq., Brown, Crump, Vanore & Tierney, LLP, PO Box 1729, Raleigh, NC 27602-1729. Failure by plaintiff to make timely payment shall entitle defendant to such relief against her as is provided by law.

**This Judgment Filed and Entered on December 23, 2011, *nunc pro tunc*, effective November 28, 2011, and Copies To:**

Susan A. Loftin (via US Mail) 210 Hereford Drive, Apt. F, Dudley, NC 28333  
R. Scott Brown and William Cathcart, Jr., (CM/ECF Notice of Electronic Filing)

DATE  
December 23, 2011

DENNIS P. IAVARONE, CLERK  
/s/ Susan K. Edwards  
(By) Susan K. Edwards, Deputy Clerk